

REMARKS

In the present application, claims 1-33 are pending. Claims 1-7, 10-22, and 25-33 are rejected. Claims 1, 10, 16, 25, 31, and 32 have been amended. Claims 8, 9, 23, and 24 were allowed. As a result of this response, claims 1-33 are believed to be in condition for allowance.

Claim Rejections - 35 USC § 102

The Examiner rejected claims 1-3, 7, 16-18, 22, and 31 as being anticipated by Gomes et al. (6,615,209 B1). In addition, the Examiner rejected claims 10, 12-13, 25, 27, 28, and 32 as being anticipated by Pugh et al. (6,658,423 B1). As is described below, independent claims 1, 10, 16, 25, 31, and 32 have been amended to include variations of an element recited in allowed claim 8. Specifically, the above noted claims now each recite a variation of the limitation “wherein the step of comparing includes a preliminary step of sorting the documents into a document list in order of increasing size, and where the step of comparing compares a given document with the next larger-documents in the document list”. As neither Pugh et al. nor Gomes et al. recite this element, all of claims 1, 10, 16, 25, 31, and 32 are considered to be in condition for allowance. As claims 2-7, 11-15, 17-22, 26-30, and 33 depend on these claims, they are likewise in condition for allowance.

Claim Rejections – 35 USC § 103

The Examiner rejected claims 4-6 and 19-21 as being unpatentable over Gomes et al. in view of Kathrow et al. (6,263,348,B1). The Examiner additionally rejected claims 11, 26, and 33 as being unpatentable over Pugh et al. in view of Piosenka et al. (4,993,068). Lastly, the Examiner rejected claims 14-15 and 29-30 as being unpatentable over Pugh et al. in view of Kathrow et al. The Examiner does not assert that either Pugh et al., Piosenka et al., or Kathrow et al. teach or suggest the element “wherein the step of comparing includes a preliminary step of sorting the documents into a document list in order of increasing size, and where the step of comparing compares a given document with the next larger-documents in the document list” as now recited in similar form in each of the rejected claims. Therefore, the combination of these references, such a

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combination neither suggested nor deemed appropriate, similarly fails to teach this element. Therefore, for the reasons recited above, claims 4-6, 11, 14-15, 19-21, 26, 29-30, and 33 are in condition for allowance.

Allowable Subject Matter

Claims 8-9 and 23-24 were allowed.

Amendment

As noted above, the element “wherein the step of comparing includes a preliminary step of sorting the documents into a document list in order of increasing size, and where the step of comparing compares a given document with the next larger-documents in the document list” has been extracted from allowed claim 8 and added in appropriate fashion to amended independent claims 1, 10, 16, 25, 31, and 32.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Respectfully submitted:

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Date

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